

EXHIBIT 6

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Page 1

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SPECTRUM DYNAMICS MEDICAL)
LIMITED,)
Plaintiff,)
vs.) Case No.:
GENERAL ELECTRIC COMPANY, GE)
HEALTHCARE, INC., GE MEDICAL)
SYSTEMS ISRAEL LTD., JEAN-PAUL)
BOUHNICK, SERGIO STEINFELD,)
ARIE ESHCO and NATHAN HERMONY,)
Defendants.)
)

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Videotaped Deposition of
NATHANIEL ROTH
Monday, November 14, 2022
9:02 a.m. Israel Standard Time

Job No.: 5550039

Reported by: BRENDA MATZOV, CSR NO. 9243

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	Page 2	Page 4		
1	UNITED STATES DISTRICT COURT			
2	SOUTHERN DISTRICT OF NEW YORK			
3)			
4	SPECTRUM DYNAMICS MEDICAL)	1 APPEARANCES (Continued):		
	LIMITED,)	2 ALSO PRESENT:		
5	Plaintiff,)	3 AMY KATZ, Videographer		
) Case No.:	4 LINA MYKYTCHUK, Assistant Videographer		
6	vs.) 18-CV-11386(VSB)	(a.m. session)		
)			
7	GENERAL ELECTRIC COMPANY, GE)	5 EDAN MATZOV, Assistant Videographer		
	HEALTHCARE, INC., GE MEDICAL)	6 (p.m. session)		
8	SYSTEMS ISRAEL LTD., JEAN-PAUL)			
	BOUHNIK, SERGIO STEINFELD,)			
9	ARIE ESHCO and NATHAN HERMONY,)			
)			
10	Defendants.)			
)			
11				
12				
13	** HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY **			
14				
15				
16	Videotaped deposition of NATHANIEL ROTH,			
17	taken in the above-entitled cause pending in the			
18	United States District Court, Southern District			
19	of New York, before BRENDA MATZOV, CSR NO. 9243,			
20	at Spectrum Dynamics, 22 Bareket Street, Caesarea,			
21	Israel, on Monday, the 14th day of November, 2022,			
22	at 9:02 a.m. Israel Standard Time.			
23				
24				
25				
	Page 3	Page 5		
1	APPEARANCES:			
2	FOR PLAINTIFF:			
3	FISH & RICHARDSON, PC	1 I N D E X		
	By: ADAM J. KESSEL, ESQ.	2 WITNESS		
4	One Marina Park Drive	3 Nathaniel Roth		
	Boston, Massachusetts 02210	4		
5	(617) 542-5070	5 EXAMINATION		
	kessel@fr.com	6 By Mr. Metzcar		
6		13, 340		
7	FISH & RICHARDSON, PC	7 By Mr. Kessel		
	By: TAYLOR M. REEVES, ESQ.	339		
8	222 Delaware Avenue	8		
	17th Floor	9 (The exhibits were pre-marked		
9	Wilmington, Delaware 19801	10 prior to the proceedings, apart from		
	(302) 652-5070	11 Exhibit 750, and Exhibit 342, which		
10	reeves@fr.com	12 was marked as a duplicate.)		
11		13		
12	FOR DEFENDANTS:	14 E X H I B I T S		
13	THOMPSON HINE, LLP	15 NUMBER	DESCRIPTION	INTRODUCED
	By: JEFFREY C. METZCAR, ESQ.	16 Exhibit 725	United States Patent	
14	Discovery Place		No. 6,744,053 Entitled	
	10050 Innovation Drive		"PET Camera with Individually	
15	Suite 400		Rotatable Detector Modules	
	Dayton, Ohio 45342		and/or Individually Movable	
16	(937) 443-6600		Shielding Sections," Dated	
	jeff.metzcar@thompsonhine.com		June 1, 2004	
17			(GE_SDM_00061706 to 00061720)	105
18	THOMPSON HINE, LLP			
	By: JESSE L. JENIKE-GODSHALK, ESQ.			
19	(partial)	20	Exhibit 726 Document Entitled "The	
	312 Walnut Street		Design of a High-Resolution	
20	Suite 2000		Transformable Whole-Body	
	Cincinnati, Ohio 45202		PET Camera," Published Date	
21	(513) 352-6700		October 2002	
	jesse.jenike-godshalk@thompsonhine.com		(GE_SDM_00794694 to 00794699)	129
22				
23				
24				
25				

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<p>1 It's here? No.</p> <p>2 Q. Well, this is the e-mail that Mr. Smith</p> <p>3 sent to him.</p> <p>4 A. Aah.</p> <p>5 Q. My question is: Do you know whether</p> <p>6 Mr. Zilberstien responded to Mr. Smith in another</p> <p>7 e-mail?</p> <p>8 A. I don't know.</p> <p>9 Q. Or perhaps by telephone?</p> <p>10 A. I don't know.</p> <p>11 Q. Okay. Should I ask Mr. Zilberstien</p> <p>12 whether or not he responded to Mr. Smith?</p> <p>13 MR. KESSEL: Objection.</p> <p>14 THE WITNESS: I don't know.</p> <p>15 BY MR. METZCAR:</p> <p>16 Q. Okay. Did Mr. Zilberstien forward</p> <p>17 Mr. Smith's e-mail or the attached '597 patent</p> <p>18 to anyone else at Spectrum Dynamics besides</p> <p>19 you?</p> <p>20 A. I believe information related to</p> <p>21 patent generally comes to me.</p> <p>22 Q. Okay. You don't know whether --</p> <p>23 you can't know whether he sent it to anyone</p> <p>24 else, can you?</p> <p>25 A. There -- there's nobody else to send</p>	<p>Page 42</p> <p>1 full-body SPECT imaging systems, do you</p> <p>2 recall that he forwarded those to you?</p> <p>3 A. I think so.</p> <p>4 Q. Okay. Do you know whether he</p> <p>5 also forwarded those to other individuals,</p> <p>6 such as Gilad Yoeli?</p> <p>7 A. I believe he did on -- at least</p> <p>8 on a specific occasion.</p> <p>9 Q. Okay. So we're -- we're -- we're</p> <p>10 aware of situations in which Mr. Zilberstien,</p> <p>11 upon learning of GE patents or published</p> <p>12 patent applications, has, in fact, sent</p> <p>13 them to people other than just you; right?</p> <p>14 A. This -- again, this was a specific</p> <p>15 situation. Most of the time Yoel Zilberstien</p> <p>16 was sending patent to me for reviewing to</p> <p>17 understand the technical side. Gilad Yoeli</p> <p>18 is on the financial side. I -- I believe it</p> <p>19 will be difficult for him.</p> <p>20 Q. Okay. But you can't tell me for</p> <p>21 sure, can you, whether or not Mr. Zilberstien</p> <p>22 forwarded this '597 patent to someone else at</p> <p>23 Spectrum or discussed it with someone else at</p> <p>24 Spectrum, can you?</p> <p>25 MR. KESSEL: Objection.</p>
<p>1 it to.</p> <p>2 Q. Does Mr. Zilberstien answer to anyone</p> <p>3 else at the company?</p> <p>4 MR. KESSEL: Objection to form.</p> <p>5 THE WITNESS: Can you repeat the</p> <p>6 question?</p> <p>7 BY MR. METZCAR:</p> <p>8 Q. Sure.</p> <p>9 Does Mr. Zilberstien report to anyone</p> <p>10 else at the company who is, for example, above</p> <p>11 him?</p> <p>12 A. I -- I don't remember at that time</p> <p>13 if he was general manager. So if there was</p> <p>14 somebody above him, I don't -- I don't know.</p> <p>15 Q. When Mr. Zilberstien learned of</p> <p>16 other GE patents and patent applications,</p> <p>17 did he forward all of those to you?</p> <p>18 MR. KESSEL: Objection.</p> <p>19 THE WITNESS: I think "all" is a</p> <p>20 pretty strong word. But probably most of</p> <p>21 them.</p> <p>22 BY MR. METZCAR:</p> <p>23 Q. Okay. So, for example, in April</p> <p>24 of 2015, if Mr. Zilberstien learned of GE</p> <p>25 published patent applications relating to</p>	<p>Page 43</p> <p>1 THE WITNESS: What I can tell you</p> <p>2 is patents generally were sent to me to review</p> <p>3 mainly the technical aspect and content.</p> <p>4 BY MR. METZCAR:</p> <p>5 Q. I understand.</p> <p>6 But you can't tell me for certain</p> <p>7 whether or not he sent it to someone else</p> <p>8 or discussed it with someone else; right?</p> <p>9 MR. KESSEL: Objection.</p> <p>10 THE WITNESS: I can tell you</p> <p>11 whatever I know, that he was sending e-mails</p> <p>12 with patent content to me.</p> <p>13 BY MR. METZCAR:</p> <p>14 Q. I understand that -- that his --</p> <p>15 his standard practice would be to send them</p> <p>16 to you.</p> <p>17 But you can't tell me for certain</p> <p>18 whether or not he sent it to anyone else,</p> <p>19 can you?</p> <p>20 MR. KESSEL: Objection.</p> <p>21 THE WITNESS: I cannot respond to</p> <p>22 that question because --</p> <p>23 BY MR. METZCAR:</p> <p>24 Q. Well, you can't know that information</p> <p>25 can you?</p>

12 (Pages 42 - 45)

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<p style="text-align: right;">Page 218</p> <p>1 Q. Okay. And do you know the circumstances 2 under which Spectrum became aware of those seven 3 GE published patent applications?</p> <p>4 MR. KESSEL: So let me, again, 5 caution the witness not to reveal attorney-client 6 communication. This is a "yes" or "no" question.</p> <p>7 And I'll allow you to ask if it's -- 8 if it was under privileged circumstances but 9 not -- nothing more than that.</p> <p>10 THE WITNESS: Can you repeat, please?</p> <p>11 BY MR. METZCAR:</p> <p>12 Q. Sure.</p> <p>13 Are you aware of the circumstances 14 under which Spectrum Dynamics became aware 15 of those seven -- at least seven GE published 16 patent applications by no later than April 2015? 17 The circumstances.</p> <p>18 A. April? Circumstance -- circumstances, 19 you mean by e-mail or by --</p> <p>20 Q. Yeah. Who --</p> <p>21 A. -- other means?</p> <p>22 Q. -- learned of it? How did you -- how 23 did you get it?</p> <p>24 A. Yeah. So I -- I prepared that as part 25 of this question that you asked us.</p>	<p style="text-align: right;">Page 220</p> <p>1 Do you -- do you understand he's with 2 Redlan?</p> <p>3 A. Yes. He -- he was a supplier for our 4 CZT models.</p> <p>5 Q. Okay. And that's "modules."</p> <p>6 A. "Modules." Sorry. It's my accent.</p> <p>7 Q. Uh-huh. It's fine.</p> <p>8 A. Supplier of CZT modules.</p> <p>9 Q. Okay. And -- and are you aware that -- 10 that he forwarded GE published patent applications 11 to Yoel Zilberstien?</p> <p>12 A. Yes. He was sending to Yoel Zilberstien.</p> <p>13 Q. Okay. Did you ever have a conversation 14 with Mr. Zilberstien regarding the published patent 15 applications that Mr. Bindley had sent to him?</p> <p>16 A. So you mean he -- do you mean this 17 application, the '704?</p> <p>18 Q. No. I'm sorry.</p> <p>19 The -- the applications that Mr. Bindley 20 sent to Mr. Zilberstien in 2015, did -- did you 21 ever have a discussion with Mr. Zilberstien 22 regarding those published patent applications?</p> <p>23 A. I don't remember. I don't -- I don't 24 remember.</p> <p>25 Q. Okay. So you don't recall whether you</p>
<p style="text-align: right;">Page 219</p> <p>1 Q. Okay. Can you -- can you tell me what 2 the circumstances were?</p> <p>3 A. Okay. So in 2010, we got this e-mail 4 from Rick from the first time with the '597 --</p> <p>5 Q. Uh-huh.</p> <p>6 A. -- patent.</p> <p>7 I -- I believe that, in 2013, at the 8 end of the due diligence, we got several patents 9 directly from GE, I think by e-mail --</p> <p>10 Q. Okay.</p> <p>11 A. -- with, again, I think this patent 12 and others.</p> <p>13 Then 2015 -- so I cannot tell you 14 till April. But there were several -- I mean, 15 several mails during that year's tree [sic], 16 during 2015, sent by Glenn -- it's another 17 supplier -- with some e-mails, sometime one, 18 sometime two, or something like that.</p> <p>19 Q. Uh-huh.</p> <p>20 A. And that's it for -- till 2015.</p> <p>21 Q. Okay. So you mentioned Glenn.</p> <p>22 Mr. Glenn Bindley?</p> <p>23 A. Glenn -- Glenn Bindley.</p> <p>24 Q. And you said he was with a -- with 25 a supplier.</p>	<p style="text-align: right;">Page 221</p> <p>1 ever discussed the contents of those applications 2 with him?</p> <p>3 A. I don't remember that we had a discussion. 4 I don't remember that.</p> <p>5 Q. Did he ever forward the applications 6 to you?</p> <p>7 A. So I -- I told you that generally 8 that's what happened.</p> <p>9 Q. Yes.</p> <p>10 A. When there's some patent review, it 11 was sent to me for review. So maybe. I don't 12 remember.</p> <p>13 Q. Okay. So Spectrum's CZT supplier 14 forwards a series of GE published patent 15 applications to Mr. Zilberstien in early 2015. 16 And typically he would forward those on to you 17 for review.</p> <p>18 Do you know whether he sent them to 19 you?</p> <p>20 A. I don't remember.</p> <p>21 Q. Have you looked through your records 22 to see whether he forwarded them to you?</p> <p>23 A. No. I -- I don't remember exactly.</p> <p>24 Q. Okay. Do you have any idea whether 25 they were directed to full-body or whole-body</p>